



PLANNING & ZONING REPORT

Zoning Board of Appeals Meeting of May 17, 2022

File # 014-22

APPLICANT: Lamar Advertising

LOCATION: 111 South Perryville Road

REQUESTED ACTION: A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Limited Commercial Zoning District.

EXISTING USE: Vacant lot with billboards and a billboard structure

PROPOSED USE: Vacant lot with electronic graphic display billboard and a billboard structure

DIMENSIONS: Irregular shape **SQUARE FOOTAGE:** 7,276 square feet

ADJACENT ZONING AND LAND USES:

NORTH:	C-3	Bob's Discount Furniture, Ross, Best Buy
EAST:	C-2	Red Robin, Panda Express, McDonald's
SOUTH:	C-3	La-Z Boy Furniture, Office Building
WEST:	C-3	State Street Plaza, Primetime Audio/Video

YEAR 2020 PLAN: C Commercial Retail

SOILS REPORT: None on file

HISTORY: **File #003-21:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Limited Commercial Zoning District was dismissed by the Zoning Board of Appeals on January 19, 2022 for the property located at 111 South Perryville Road. This is the subject property.

File #002-11: A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-3, General Commercial Zoning District was granted May 9, 2011 for the property located at 1311 South Alpine Road. This is a two-faced sign.

File #009-08: A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the property located at 5411 East State Street. This is a two-faced sign with one-face being an electronic graphic display billboard.

File #010-08: A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the

property located at 8539 East State Street. This is a two-faced sign with one-face being an electronic graphic display billboard.

File #011-08: A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the property located at 6439 East Riverside Boulevard. This use was never established.

REVIEW COMMENTS: The Applicant is requesting a Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Limited Commercial Zoning District. Exhibit A shows that the subject property is located on the southwest corner of East State Street and South Perryville Road. Commercial uses surround the subject property (Exhibits B and C).

The Applicant, Lamar Advertising, has many billboards throughout the community and currently has two (2) electronic graphic display billboards on East State Street and two (2) on South Alpine Road.

The existing billboard is legally nonconforming to the Zoning Ordinance and may continue in use as specified in Article 51-009-C of the Ordinance. When the structure or size of the billboard is altered in any way, the alterations must be made toward compliance with this Ordinance. The sign regulations 51-008-J (adopted in 2008) allow the modification of an existing non-conforming billboard to an electronic graphic display billboard by means of a Special Use Permit.

It is the Applicant's desire to upgrade the existing legally nonconforming billboard to an electronic graphic display billboard. This is not allowed unless the applicant applies for a Special Use Permit and the City Council finds that the Findings of Fact in Section 63-005 have been satisfied, and the location, size, and design of the proposed billboard will not have a detrimental effect on the privacy, use, light or enjoyment of any nearby properties.

The Applicant submitted Exhibit D a picture that shows the subject property and the location of the double-sided billboard. However, the Applicant did not submit a rendering of the proposed electronic graphic display billboard. The existing billboard is 14 feet by 48 feet or 672 square feet. The modification of the billboard if approved will require landscaping as stated in the Zoning Ordinance, "the base of all freestanding signs greater than one hundred (100) square feet and greater than fifteen (15) feet in height shall be landscaped with evergreen and deciduous shrubs as follows: square footage of sign face times 0.75 equals Landscape Units. These Landscape Units are in addition to other landscaping requirements.

Exhibit E is a Letter submitted by the Applicant, which gives details on the proposed modification of the three (3) existing off-premise static signs to electronic. The Applicant states, "111 South Perryville Road we are asking to convert an existing double sided 14'x48' static off-premise sign to a double sided 14'x48' off-premise electronic sign" (Exhibit E).

Exhibit F shows that there has been one call of service for the Police Department in the past 24 months for 111 South Perryville Road.

The first Special Use Permits that were approved for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard required the removal of existing billboards. Many of those billboards that were required to be removed have been removed. The first Special Use Permits that were approved would have allowed up to three (3) billboards at different locations subject to City Council approval; however, only two (2) billboards were established. Additionally, a Special Use Permit was approved in 2011 for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard, requiring the removal of the existing billboards. All billboards that were required to be removed as a condition of approval for that Special Use Permit have been removed. This approval was for both sides (See File History #002-11).

The proposed conversion of these two sign faces from static to electronic would bring the number of electronic display billboards to eight, which exceeds the original discussion from 2008. Staff feels that this location is not best suited for an electronic billboard and that there are better suited locations. An electronic display billboard should not be established at this location due to its close proximity to the State and Perryville intersection.

RECOMMENDATION: Staff recommends **DENIAL** of a Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Limited Commercial Zoning District.

See attached findings of fact.

SC: DM 05/9/2022

**FINDINGS OF FACT FOR DENIAL OF A SPECIAL USE PERMIT
FOR THE MODIFICATION OF AN EXISTING LEGALLY NONCONFORMING BILLBOARD
TO AN ELECTRONIC GRAPHIC DISPLAY BILLBOARD
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 111 SOUTH PERRYVILLE ROAD**

Denial of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall not conform to the applicable regulations of the C-2 District in which it is located.

Exhibit A
111 South Perryville Road
SUP
#014-22

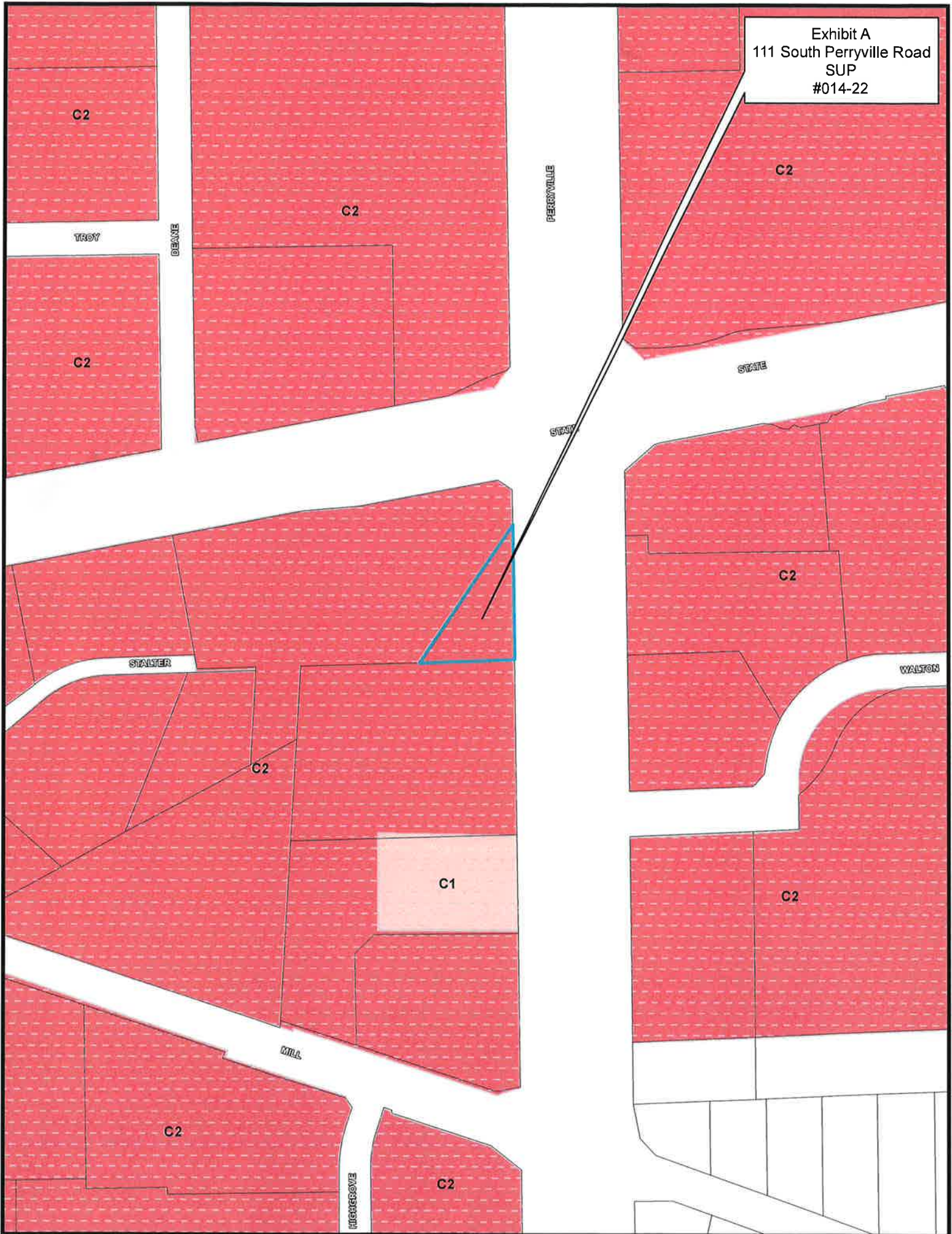


Exhibit B
111 South Perryville Road
SUP
#014-22

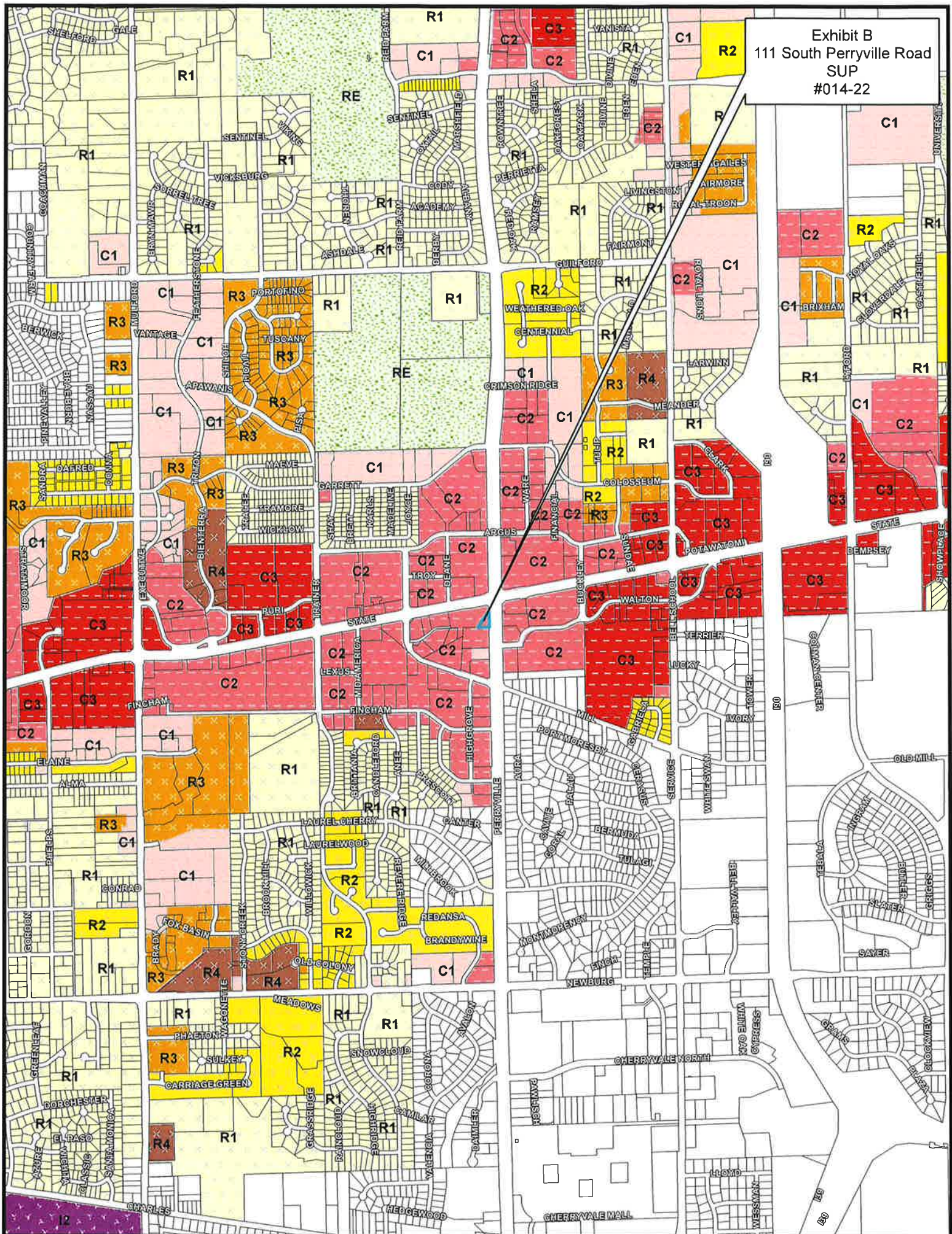


Exhibit C
111 South Perryville Road
SUP
#014-22

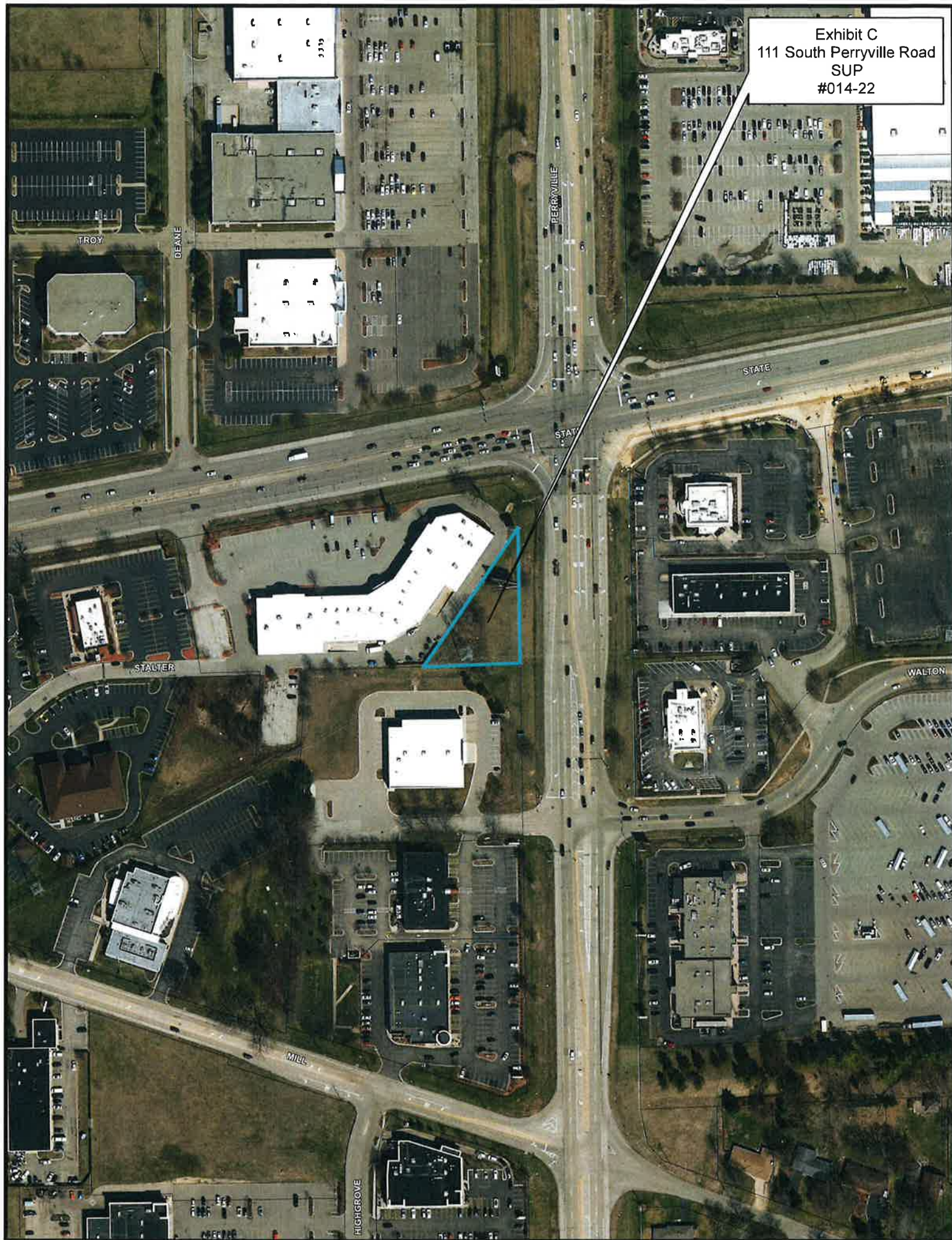


Exhibit D
111 South Perryville Road
SUP
#014-22





5101 H
Janesv

Exhibit E
111 South Perryville Road
SUP
#014-22

P: 800.362.9442
O: 608.754.6141
F: 608.756.1101
W: lamar.com

April 11, 2022,

City of Rockford
Planning & Zoning Office
Attn: Scott Capovilla
425 E State St
Rockford, IL 61104

RE: Lamar Advertising 2008 Dismantles / Electronic signs

Mr. Capovilla,

Included are 3 permits to modify existing off-premise static signs to electronic.

Application #1 6625 East Riverside Blvd. we would like to substitute our previously approved permit from down the road at 6439 East Riverside Blvd.

The previous approved permit (attached) at 6439 East Riverside Blvd. was for converting an existing 14'x48' Static off-premise sign to a 14'x48' off-premise electronic sign.

The new location at 6625 East Riverside Blvd. we are asking to convert a 12'x25' static off-premise sign (300sq ft.) to a 10'x30' electronic off-premise sign (300sq ft.) a vast reduction.

Application #2, Bypass 20 and 11th Street we are asking to convert an existing double sided 14'x48' static off-premise sign to a double-sided 14'x48' off-premise electronic sign.

Application #3, 111 South Perryville Road we are asking to convert an existing double sided 14'x48' static off-premise sign to a double sided 14'x48' off-premise electronic sign.

Sincerely,

Anthony Hickey
Real estate Manager
Lamar Advertising
Janesville, WI

Call Number	Event Date	Location	Situation Reported	Call Disposition	Agency
22-069641	2022-04-08T16:18:45	111 S Perryville Rd	ACCIDENT UNKNOWN INJURY	DUP - DUPLICATE	Rockford Police Department